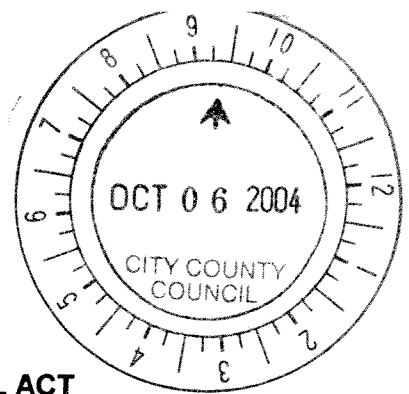


**CONSOLIDATED CITY OF INDIANAPOLIS
COUNTY OF MARION
STATE OF INDIANA**

EXECUTIVE ORDER NO. 3, 2004

**DETERMINATION OF WHICH DEPUTY MAYOR SHALL ACT
AS CHIEF DEPUTY MAYOR
IN THE ABSENCE OF SUCH OFFICIAL DESIGNATION**



WHEREAS, Indiana Code § 36-3-5-3 and Sec. 201-4 of the "Revised Code of the Consolidated City and County" establish the office of deputy mayor and provide for one (1) or more deputy mayors with only such powers as are delegated by the mayor; and

WHEREAS, neither the Indiana Code nor the Revised Code establishes or provides an office of deputy mayor in Indianapolis with the specific designation of "chief deputy mayor"; and

WHEREAS, from time to time since the inception of Unigov, including the years of 1972, 1985 through 1992, and 2000 through 2004, Indianapolis mayors have appointed and the city-county council has approved persons to serve as deputy mayor with the specific designation of "senior deputy mayor" or "chief deputy mayor"; and

WHEREAS, various provisions contained in the Indiana Code, local ordinances, executive orders including Indianapolis and Marion County Executive Order No. 1, 2004, and other legal documents that pertain to the position of deputy mayor may contain a specific reference to the position of "senior deputy mayor" or "chief deputy mayor"; and

WHEREAS, various provisions contained in the Indiana Code that are applicable to the office of Indianapolis mayor may contain a general reference to "chief deputy"; and

WHEREAS, from time to time there has not been, and prospectively there may not be, a deputy mayor with the specific designation of "senior deputy mayor" or "chief deputy mayor" notwithstanding references to the same in such extant sources; and

WHEREAS, for purposes of exercising the authority provided in such other sources, a determination of which deputy mayor would constitute the "senior deputy mayor" or "chief deputy mayor" is beneficial to the orderly administration of executive powers and responsibilities, and promotes the interest of public health, safety and welfare;

NOW, THEREFORE, by virtue of the authority vested in me as the Mayor of the City of Indianapolis and successor-in-interest to the Board of Commissioners of Marion County, Indiana, and in accordance with the aforementioned statutes and ordinance, it is hereby ordered as follows:

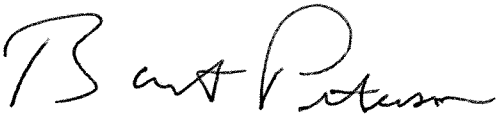
1. Whenever no deputy mayor has been appointed and approved to serve specifically as "senior deputy mayor" or "chief deputy mayor", or whenever a person so appointed and approved is incapacitated or such position is otherwise vacated, then the current deputy mayor who has held the position of deputy mayor for the greatest period of time without interruption shall constitute the "senior deputy mayor" or "chief deputy mayor" for the purpose of exercising

any and all authority conferred upon such position by statute (including, but not limited to, Indiana Code §§ 3-13-11-12 and 36-3-3-3), ordinance, executive order (including, but not limited to, Executive Order No. 1, 2004), or other legal documents that pertain to the position of deputy mayor and contain a specific reference to the position of "senior deputy mayor" or "chief deputy mayor".


2. This Executive Order shall become effective immediately.

DATED this 1st day of October, 2004.

CONSOLIDATED CITY OF INDIANAPOLIS
AND MARION COUNTY, INDIANA

By: 
Bart Peterson, Mayor

APPROVED AS TO FORM AND LEGALITY:

By: 
A. Scott Chinn, Corporation Counsel